

REMARKS

Applicant elects to apply the issue fee already paid to the present application when a notice of allowance is granted, but reserves the right to request a refund in the event Applicant chooses to abandon the application.

The above amendments and these remarks are responsive to the final Office action dated November 23, 2005. In the Office action, claim 5 was allowed and claims 6, 9-12, 15 and 17-22 were rejected. By way of the present amendments, claims 6, 9-10, 12 and 16-22 have been canceled and claims 11, 15 and 23 have been amended. Applicant respectfully requests reconsideration of the application under 37 C.F.R. § 1.111 and allowance of the pending claims.

Allowable Subject Matter

Applicant thanks the Examiner for the indication that claim 5 is allowed. Applicant further thanks the Examiner for the indication that claim 23 would be allowable if rewritten in independent form including the elements of the base claim and any intervening claims. Applicant has rewritten claim 23 into independent form. Accordingly, applicant respectfully requests withdrawal of the objection to claim 23.

Elections/Restrictions

In the final Office action, the Examiner indicated that claim 16 was withdrawn as being directed to a non-elected invention.

As an initial matter, applicant believes that the Examiner intended to withdraw claim 15 rather than claim 16. In particular, the description of the claimed subject matter under the heading Elections/Restrictions matches claim 15, not claim 16.

Applicant submits that claim 23 is an allowable generic claim that is generic to all

claimed species. As such, applicant should be entitled to consideration of claims to additional species which are written in dependent form. Thus, claim 15, which depends from claim 23, should be considered.

Furthermore, applicant believes that the withdrawal of claim 15 was improper because applicant believes that claim 15 also reads on the embodiment illustrated in Figs. 1-5. According to the Merriam-Webster Online Dictionary (<http://www.m-w.com/cgi-bin/dictionary>), taper means "to become progressively smaller toward one end." As illustrated in Figs. 1-5, the opening becomes progressively smaller towards a location on the frame at which the retaining member is adjacent to the frame. Thus, claim 15 reads on the embodiment of Figs. 1-5.

Claim Rejections - 35 U.S.C. § 103

In the Office action, claims 6, 9-12, 15 and 17-23 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wilslef (U.S. Patent No. 2,052,065). Although the Examiner indicated that claim 15 was rejected, applicant believes that claim 15 was withdrawn and claim 16 was rejected, as indicated on page 4 of the final Office action.

Applicant has canceled claims 6, 9-10, 12 and 16-22 without prejudice.

Further, applicant has amended claims 11 and 15 to depend from claim 23, which the Examiner has indicated is allowable. Thus, Applicant respectfully requests that the rejections of claims 11 and 15 under 35 U.S.C. § 103 be withdrawn.

Conclusion

The above amendments and remarks are believed to fully address the Examiner's rejections, and to place the entire application in condition for allowance. A prompt indication of the same is respectfully requested. The Examiner is encouraged to telephone the undersigned if any issues remain that may be resolved by a telephonic interview.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-1540.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP AF Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 20, 2006.



Suzanne Lukas-Werner

Respectfully submitted,

KOLISCH HARTWELL, P.C.



Steven W. Hudnut

Registration No. 57,786

PTO Customer No. 23581

520 S.W. Yamhill Street, Suite 200

Portland, Oregon 97204

Telephone: (503) 224-6655

Facsimile: (503) 295-6679